



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/750,101	05/01/97	DOLLY	mk 054CP1

CARLOS O. FISHER
LEGAL DEPARTMENT, T2-2E
ALLERGAN, INC.
P. O. BOX 19534, 2525 DUPONT DRIVE.
IRVINE CA 92623-9534

HM12/0429

EXAMINER	
MINNIFIELD, N	
ART UNIT	PAPER NUMBER

1645

18

DATE MAILED: 04/29/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/750101	005/01/97	DOLLY ET AL	17044CPA(AP)

b

b

EXAMINER	
MINNIFIELD	
ART UNIT	PAPER NUMBER
1645	18

b

b

DATE MAILED:

Commissioner of Patents

Please find below a communication from the EXAMINER in charge of this application.

1. The reply filed March 19, 1999 is not fully responsive to the communication mailed February 9, 1999 for the reasons set forth on the attached Notice To Comply With The Sequence Rules or CRF Diskette Problem Report.

Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH or THIRTY (30) DAYS**, from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 CFR 1.136(a).

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to N. M. Minnifield whose telephone number is (703) 305-3394. The examiner can normally be reached on Monday-Thursday from 7:00 AM-4:30 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Caputa, Ph.D., can be reached on (703) 308-3995. The fax phone number for this Group is (703) 308-4556.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

N. M. Minnifield

April 26, 1999

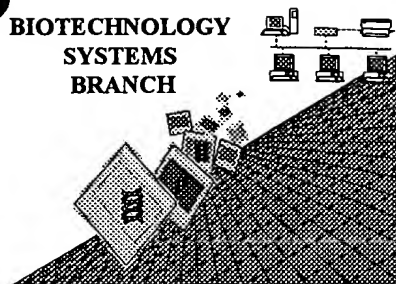
substitute PTOL90

N. M. Minnifield
NITA MINNIFIELD
PRIMARY EXAMINER

Minnifield

RAW SEQUENCE LISTING **ERROR REPORT**

BIOTECHNOLOGY
SYSTEMS
BRANCH



The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following CRF diskette:

Application Serial Number: 08/750,101A

Art Unit / Team No. : 1645

Date Processed by STIC: 3/30/99

THE ATTACHED PRINTOUT EXPLAINS THE ERRORS DETECTED.

PLEASE BE SURE TO FORWARD THIS INFORMATION TO THE APPLICANTS BY EITHER:

1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANTS ALONG WITH A NOTICE TO COMPLY or,

2) CALLING APPLICANTS AND FAXING THEM A COPY OF THE PRINTOUT WITH A NOTICE TO COMPLY

THIS WILL INSURE THAT THE NEXT SUBMISSION RECEIVED FROM THEM WILL BE ERROR FREE.

IF YOU HAVE ANY FURTHER QUESTIONS, PLEASE CALL:

ARTI SHAH 703-308-4212

Raw Sequence Listing Error Summary

ERROR DETECTED SUGGESTED CORRECTION

SERIAL NUMBER:

08/750,101A

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

- 1 **Wrapped Nucleics** The number/text at the end of each line "wrapped" down to the next line.
This may occur if your file was retrieved in a word processor after creating it.
Please adjust your right margin to .3, as this will prevent "wrapping".
- 2 **Wrapped Aminos** The amino acid number/text at the end of each line "wrapped " down to the next line.
This may occur if your file was retrieved in a word processor after creating it.
Please adjust your right margin to .3, as this will prevent "wrapping".
- 3 **Incorrect Line Length** The rules require that a line not exceed 72 characters in length. This includes spaces.
All text must be visible on page.
- 4 **Misaligned Amino Acid
Numbering** The numbering under each 5th amino acid is misaligned. This may be caused by the use of tabs
between the numbering. It is recommended to delete any tabs and uses spacing between the numbers.
- 5 **Non-ASCII** This file was not saved in ASCII (DOS) text, as required by the Sequence Rules.
Please ensure your subsequent submission is saved in ASCII text so that it can be processed.
- 6 **Variable Length** Sequence(s) contain n's or Xaa's which represented more than one residue.
As per the rules, each n or Xaa can only represent a single residue.
Please present the maximum number of each residue having variable length and
indicate in the (ix) features section that some may be missing.
- 7 **Wrong Designation** Sequence(s) contain amino acid or nucleic acid designators which are not standard
representations as per the Sequence Rules (Please refer to paragraph 1.822)
- 8 **Skipped Sequences
(OLD RULES)** Sequence(s) missing. If intentional, please use the following format for each skipped sequence:
(2) INFORMATION FOR SEQ ID NO:X:
(i) SEQUENCE CHARACTERISTICS:(Do not insert any headings under "SEQUENCE CHARACTERISTICS")
(xi) SEQUENCE DESCRIPTION:SEQ ID NO:X:
This sequence is intentionally skipped

Please also adjust the "(iii) NUMBER OF SEQUENCES:" response to include the skipped sequence(s).
- 9 **Skipped Sequences
(NEW RULES)** Sequence(s) missing. If intentional, please use the following format for each skipped sequence.
<210> sequence id number
<400> sequence id number
000
- 10 **Use of n's or Xaa's
(NEW RULES)** Use of n's and/or Xaa's have been detected in the Sequence Listing.
Use of <220> to <223> is MANDATORY if n's or Xaa's are present.
In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.
- 11 **Use of <213>Organism
(NEW RULES)** Sequence(s) are missing this mandatory field or its response.
13 (maybe other)
- 12 **Use of <220>Feature
(NEW RULES)** Sequence(s) are missing the <220>Feature and associated headings.
Use of <220> to <223> is MANDATORY if <213>ORGANISM is "Artificial" or "Unknown"
Please explain source of genetic material in <220> to <223> section.
(See "Federal Register," 6/01/98, Vol. 63, No. 104, pp. 29631-32)
(Sec. 1.823 of new Sequence Rules)
- 13 **PatentIn ver. 2.0 "bug"** Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted
file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing).
Instead, please use "File Manager" or any other means to copy file to floppy disk.

Minni Field

1645

PAGE: 1

RAW SEQUENCE LISTING
PATENT APPLICATION US/08/750,101A

DATE: 03/30/1999
TIME: 14:27:53

Input Set: H750101A.RAW

This Raw Listing contains the General
Information Section and those Sequences
containing ERRORS.

1 <110> Dolly, James Oliver
2 Aoki, Roger Kei
3 Wheeler, Larry
4 Elwood, Micheal
5 <120> MODIFICATION OF CLOSTRIDIAL TOXINS FOR
6 USE AS TRANSPORT PROTEINS
7 <130> 17044
8 <140> US/08/750,101A
9 <141> 1997-05-01
10 <150> PCT/GB/01253
11 <151> 1995-05-31
12 <150> UK 9410871.9
13 <151> 1994-05-31
14 <150> UK 9410871.1
15 <151> 1994-05-31
16 <160> 13
17 <170> FastSEQ for Windows Version 3.0

Does Not Comply
Corrected Diskette Needed

ERRORED SEQUENCES FOLLOW

E--> 18 <210> 13
19 <211> 26
20 <212> DNA
21 <213> Artificial Sequence
22 <400> 13
23 cgggatacctt ctgtatcatt gtaaatt
E--> 24 Docket No. ALGRN.054CPI PATENT
W--> 25
E--> 26 serial no. 08/750101
27 3

see item 12 on Error Summary Sheet

delete at end of file

FYI:

Please review the
Sequence Listing to ensure that a corresponding explanation is presented in the <220> to
<223> fields of each sequence which presents at least one n or Xaa.

26

PAGE: 2

VERIFICATION SUMMARY
PATENT APPLICATION US/08/750,101A

DATE: 03/30/1999
TIME: 14:27:53

Input Set: H750101A.RAW

Line	? Error/Warning	Original Text
19	E Input 26, Calc# Bases 36 differ	<211> 26
24	E Wrong Amino Acid Designator	Docket No. ALGRN.054CP1 PATENT
24	E Wrong Amino Acid Designator	Docket No. ALGRN.054CP1 PATENT
24	E Wrong Amino Acid Designator	Docket No. ALGRN.054CP1 PATENT
24	E Wrong Amino Acid Designator	Docket No. ALGRN.054CP1 PATENT
25	W Invalid/Missing Amino Acid Numbering	
26	E Number of Bases conflict w/ Running Total	Serial No. 08/750,101
26	E Wrong Nucleic Acid Designator	Serial No. 08/750,101
26	E Wrong Nucleic Acid Designator	Serial No. 08/750,101
26	E Wrong Nucleic Acid Designator	Serial No. 08/750,101
26	E Wrong Nucleic Acid Designator	Serial No. 08/750,101
26	E Wrong Nucleic Acid Designator	Serial No. 08/750,101
26	E Wrong Nucleic Acid Designator	Serial No. 08/750,101
26	E Wrong Nucleic Acid Designator	Serial No. 08/750,101
26	E Wrong Nucleic Acid Designator	Serial No. 08/750,101
26	E Wrong Nucleic Acid Designator	Serial No. 08/750,101
26	W "N" or "Xaa" used: Feature required	Serial No. 08/750,101

PAGE: 3

CORRECTION SUMMARY
PATENT APPLICATION US/08/750,101A

DATE: 03/30/1999
TIME: 14:27:53

Input Set: H750101A.RAW

Line	Original Text	Corrected Data
26	Serial No. 08/750,101	serial no. 08/750101